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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/244,163 02/04/99 SHIOTSUKA

H 35.C13307

005514 MM22/1013
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NEW YORK NY 10112

EXAMINER

HARDY, D

ART UNIT	PAPER NUMBER
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2815

DATE MAILED:

10/13/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademark

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Office Action Summary

Application No.
09/244,163

Applicant(s)
Shiotsuka et al.

Examiner
David B. Hardy

Group Art Unit
2815



☒ Responsive to communication(s) filed on Jul 28, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-64 is/are pending in the application.

Of the above, claim(s) 9-24, 33-48, and 57-64 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-8, 25-32, and 49-56 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

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--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 09/244,163

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Art Unit: 2815

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Serial Number: 09/244163 Attorney's Docket #: 35.C13307

Filing Date: 2/4/99; earliest claimed foreign priority to 2/5/98

Applicant: Shiotsuka et al.

Examiner: David Hardy

Claims 9-24, 33-48 and 57-64 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention. Election was made **without** traverse in Paper No. 6. Please note that the Restriction Requirement failed to include claims 63 and 64 as being drawn to a patentably distinct invention of Group II. However, the inadvertant inclusion of these claims does not significantly change the Requirement.

Applicants' request for rejoinder is acknowledged.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claims 1-8, 25-32 and 49-56 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 3 "is separable" is considered indefinite because it is unclear whether or not the semiconductor element is or is not separated from the substrate; the same applies to claims 2, 3, 25, 26, 27 and 49-56.

Any of claims 1-8, 25-32 and 49-56 not specifically addressed above are rejected as being dependent on one or more of the claims which have been specifically objected to above.

Art Unit: 2815

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 25-31, 49-56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kazuhide (JP 9-045951).


Kazuhide discloses in Figs. 1-11, a device comprising: a substrate (1); a filler (3); a solar element (2); and a resin laminate/protective layer (4)

Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Art Unit 2815 via the PTO Fax center located in Crystal Plaza 4-4C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Art Unit 2815 Fax Center number is (703) 308-7722 or -7724. The Art Unit 2815 Fax Center is to be used only for papers related to Group 2800 applications.

Any inquiry concerning this communication or any earlier communication from the examiner should be directed to **Examiner David Hardy** whose telephone number is (703) 308-4092 and may additionally be contacted by e-mail at **david.hardy@uspto.gov**.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Group 2800 receptionist** whose telephone number is (703) 308-0956.

DBH
8 October 1999


David B. Hardy
Patent Examiner
Art Unit 2815